



July 15, 2011

Via Fed-Ex Priority Overnight

Ms. Kristine Koch
Remedial Project Manager
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Re: First Request for Information; Portland Harbor Superfund Site, Portland, Oregon-
Response of Kinder Morgan Bulk Terminals, Inc. for Port of Portland's Terminal 4.

Dear Ms. Koch:

This letter and accompanying documents concerning Kinder Morgan Bulk Terminals, Inc.'s operations at the Port of Portland's Terminal 4 ("Response") are sent by Kinder Morgan Bulk Terminals, Inc. ("KMBT") in response to the February 9, 2011 information request ("Information Request").

The information contained in this Response sets forth KMBT's current understanding of the items referenced. Due to the breadth of the Information Request, the time periods at issue, the fact that many of the subjects referenced in the Information Request may not be answered by persons with first-hand knowledge or responsible documents, it is possible that additional facts and documents not currently known to KMBT may provide additional or different information. This Response is KMBT's good faith effort to respond to the Information Request.

INFORMATION REQUEST QUESTIONS

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent.

Kinder Morgan Bulk Terminals, Inc.
One Allen Center
500 Dallas Street, Suite 1000
Houston, TX 77002

370 Van Gordon Street Lakewood, CO 80228 303-989-1740

KMB00000001

2. For each person answering these questions on behalf of Respondent, provide:
- full name;
 - title;
 - business address; and
 - business telephone number, electronic mail address, and FAX machine number.

Nancy Van Burgel
Assistant General Counsel
370 Van Gordon Street
Lakewood, CO 80228-8304
303-914-4634 (bus); Nancy_VanBurgel@kindermogan.com; 303-984-3333 (fax)

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Vancouver, WA 98663
360-693-5300 x11; brent_mcmullin@kindermorgan.com; 360-906-0237 (fax)

Bruce Craven
Terminal Manager
11040 N. Lombard Street, Terminal 4
P.O. Box 83838
Portland, OR 97283
503-285-2990; bruce_craven@kindermorgan.com; 503-285-4467

3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

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Section 2.0 Owner/Operator Information

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 - Present). Please note that this question includes any aquatic lands owned or leased by Respondent.
 - Port of Portland Marine Terminal 4, Slip 3, Berths 410 and 411. KMBT leases the property from the Port of Portland.
 - Port of Portland Marine Terminal 5. Until June 1, 2011, KMBT operated the facility for Portland Bulk Terminals, LLC under the direction of Canpotex, Ltd. For additional information, see KMBT's response for Terminal 5.
 - KMBT owns no properties within the Investigation Area.
 - KMBT neither owns nor leases aquatic lands within the Investigation Area.
5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.
 - The Port of Portland's Marine Terminal 4 is located at 11040 N. Lombard Street (the "Property"). KMBT, formerly Hall-Buck Marine, Inc. ("HBM"), has leased Terminal 4, Slip 3, Berths 410 and 411 (the "Leasehold") from the Port of Portland ("the Port") since October 30, 1987. KMBT performs bulk cargo loading and unloading operations of various materials. Prior to June 1998, HBM handled pencil pitch, soda ash, bulk clay, and compatible mineral bulk products. From mid-1998 to 2002, KMBT handled primarily soda ash. From 2002 to the present, KMBT has handled solely soda ash. Please see the Port's 104(e) response for Terminal 4, Slips 1 and 3 for detailed tax lot identification numbers, additional lessees and operators, and associated dates of acquisition for the Property.

6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:
- a. partners or joint venturers;
 - None.
 - b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);
 - American Natural Soda Ash Corporation (storage building product owner)
 - Hillsboro Landfill Permits (waste disposal)
 - Oil Re-Refining Co. Inc (ORRCO) (wastewater and used oil recycling)
 - West Coast Marine Cleaning (hauls waste to landfill)
 - Christenson Electric, Inc. and Hughes Electrical Contractors, Inc. (electrical contractors)
 - c. any person subleasing land, equipment or space on the Property;
 - None.
 - d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;
 - Portland General Electric and Union Pacific Railroad both hold easements on the Leasehold. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for a complete list of railroads, utilities and other easements on the Property.
 - e. major financiers and lenders;
 - None.
 - f. any person who exercised actual control over any activities or operations on the Property;
 - The following KMBT and HBM personnel managed the day-to-day operations at the facility:
 - Kermit Pitre (Vice President, West Coast Operations, HBM)
 - Brad Clinefelter (Terminal Manager, HBM and KMBT)
 - Kevin Jones (Vice President, N.W. Regional Manager, HBM and KMBT)
 - Bruce Craven (current Terminal Manager, KMBT)

- Marco Ullmer (current Regional General Manager, KMBT)
 - Additionally, the Port exercises actual control over Terminal 4 operations in its capacity as the property owner and the owner of the Dravo bulk unloader. Please refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding non-HBM/KMBT personnel exercising control over activities at the Property.
 - g. any person who held significant authority to control any activities or operations on the Property;
 - Refer to response to Question 6(f).
 - h. any person who had a significant presence or who conducted significant activities at the Property; and
 - Refer to response to Question 6(f).
 - i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.
 - Port of Portland.
7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).
- KMBT, formerly HBM, leases Terminal 4, Slip 3, Berths 410 and 411 from the Port. HBM entered into a Terminal Lease with the Port on October 30, 1987. The lease was amended by Port Agreement No. 87-109 on November 24, 1993 ("Amendment No. 1"). After HBM was acquired through a stock purchase and its name was changed to Kinder Morgan Bulk Terminals, Inc., the lease was further amended on July 1, 1999 to acknowledge the lessee's change in ownership ("Amendment No. 2"). Additional amendments have been executed to extend the term of the lease and incorporate additional changes. Copies of the Terminal Lease and the eight lease amendments are attached. KMBT owns no property in the Investigation Area.
8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

- Yes. The Baseline Audit, dated December 29, 2009 and prepared by URS Corporation for the Port of Portland (hereinafter "Baseline Audit"), identified the following releases that occurred prior to HBM and KMBT's tenure at the Property. The Baseline Audit is attached in its entirety to Question 8.
 - On May 7, 1971, a small quantity of bauxite ore was released into the Willamette River during unloading operations on the vessel M/V DONA AMALIA at Pier 4.
 - On January 30, 1985, an oil slick at the bow of the vessel CELTIC PRINCESS at Berth 410 was observed. The vessel crew said they were not responsible for the oil slick and its origin remains undetermined.
 - On March 26 and 27, 1986, U.S. Coastguardsmen observed pencil pitch being washed from the pier into the river.
 - On March 28, 1986, a report was made to the U.S. Coast Guard that 300-500 pounds of pencil pitch was washed into the river at Berth 411.
 - On March 31, 1986, the U.S. Coast Guard observed pencil pitch in the Willamette River at Terminal 4. The pencil pitch was from the pier being washed into the river.
 - On December 2, 1986 the U.S. Coast Guard observed small quantity of pencil pitch dust that was blown into the water from the pier.
 - On April 1, 1987, the U.S. Coast Guard observed pencil pitch being hosed down from the pier and into the water.
 - On October 16, 1987, pencil pitch was spilled into the Willamette River while Jones Oregon Stevedoring was unloading the vessel PARKGRACHT. Approximately one or more patches 200 to 250 feet long by 30 feet wide were floating in the river.
 - On November 17, 1987, the Port identified the following leaking PCB transformers at Terminal 4:
 - 225 KVA PCB Serial C862333 transformer inside the Dravo machinery house. A moderate amount of fluid leaked from the transformer side of the upper fill/vent valve. There is no indication the oil was released outside of the machinery house and this transformer has since been removed.
 - 500 KVA transformer Serial C862942 12000 to 480/227 located inside the Pier transformer house slight leak from the drain valve resulted in spot of fluid on the floor. There is no indication the PCB fluid was released outside of the transformer house and this transformer has since been

removed. PCBs were removed as part of KMBT's upgrades during facility construction in 1987/1988.

- Additionally, a report was issued by the EPA National Enforcement Investigations Center Office of Criminal Investigations on December 1, 1987 regarding alleged violations by the Port of Portland, including two or more instances of discharging pollutants into the Willamette River without obtaining an NPDES permit. The incidents included in the report are included in the above summary. A copy of the report is included as an attachment at KMB00004531-KMB00004613. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding releases that occurred outside the Leasehold and prior to HBM and KMBT's tenure.
9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.
- Yes. Refer to Question 8.
10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:
- a. the dates of ownership;
 - According to the Baseline Audit, the Portland City Commission of Public Docks (City CPD) acquired the Property in 1917. The Port acquired the Property effective January 1, 1971, after it merged with City CPD. The Baseline Audit is included as an attachment to Question 8.
 - b. all evidence showing that they controlled access to the Property; and
 - KMBT currently has no information regarding whether previous owners controlled access to the Property. Please refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional ownership and access information.
 - c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.
 - Refer to Question 8.
11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:

- a. the dates of operation;
 - From 1978 to 1987, the Port of Portland contracted with Jones Oregon Stevedoring and Stevedoring Services of America to unload vessels carrying pencil pitch at Slip 3.
 - b. the nature of prior operations at the Property;
 - The stevedoring companies unloaded pencil pitch and provided certain dock maintenance and cleaning services.
 - c. all evidence that they controlled access to the Property; and
 - KMBT currently has no information regarding whether prior operators controlled access to the Property.
 - d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.
 - Refer to Question 8.
12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.
- N/A.

Section 3.0 Description of Each Property

13. Provide the following information about each Property identified in response to Question 4:
- a. property boundaries, including a written legal description;
 - The Leasehold, which constitutes approximately 6.56 acres, includes Pier 4 (Berths 410 & 411) of Terminal 4 and is bounded by Slip 3 to the south, the Willamette River to the west, Wheeler Bay to the northwest, and the Union Pacific Railroad right-of-way to the east. Leasehold legal descriptions and property boundary diagrams are included as attachments to Question 7 (KMB00000057 and KMB00000058) and Question 8 (KMB00000556-KMB00000563). Refer to Tab 2 of the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional legal descriptions of the Property.
 - b. location of underground utilities (telephone, electrical, sewer, water main, etc.);
 - Attached are drawings on file showing the location of underground utilities.

- c. location of all underground pipelines whether or not owned, controlled or operated by you;
- There are no underground pipelines within the Leasehold. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding underground pipelines on the Property.
- d. surface structures (e.g., buildings, tanks, pipelines, etc.);
- The facility is currently developed as a soda ash shipping facility, which includes railroad tracks, a 30,000 metric ton soda ash repository, conveyor system with associated buildings, and a maintenance warehouse with offices (Building 432), a 43,000 gallon retention basin (with two additional water retention tanks with a total capacity of 38,000 gallons), a 5,000 gallon UST (diesel), a 675-gallon AST (gasoline), and a 2,000-gallon washwater accumulation basin (all currently leased by KMBT). Additional drawings showing surface structures are included as attachments to Question 8 (KMB00000515).
- e. over-water structures (e.g., piers, docks, cranes, etc.)
- The facility includes two berths (Berths 410 and 411). In 1962, the City CPD installed a Dravo bulk unloader at the head of Slip 3 to off-load bulk cargoes in the 1960s and 1970s. HBM leased the Dravo from the Port from March 9, 1988 through June 14, 1998, after which time the lease was not renewed. Thereafter, the Port partially decommissioned the Dravo, removed portions of the unit, and left the main structure intact but inoperable. Diagrams of over-water structures are attached (KMB00000515, KMB00000522).
- f. dry wells;
- KMBT is not aware of any dry wells within the Leasehold.
- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);
- Surface water drains either: 1) across the Property into storm water catch basins, where it discharges through a stormwater outfall that drains into the Willamette River, or 2) to an on-site wastewater treatment system that discharges to the sanitary sewer system or infiltrates into the ground through and in the vicinity of railroad ballast in the eastern portion of the Property.
- The wastewater treatment system diverts soda ash-containing surface water for treatment. Soda ash handling associated with KMBT's operations results in small amounts of soda ash mixing with stormwater and altering the pH such that it cannot be discharged to the river under KMBT's individual NPDES permit. Catch basins throughout the Leasehold contain valves and sumps to divert stormwater and washdown water (from washing

machinery and equipment) to a pretreatment system. The pretreatment system consists of a 43,000-gallon concrete retention basin, an oil/water separator equipped with 250 micron filter, sulfuric acid mix tank for pH control equipped with probe for constant pH monitoring, and three surge tanks that have been added for retention and metering discharge to the POTW at rates to meet total dissolved solids limits. The treated water is discharged to the sanitary sewer system under a pretreatment permit issued and administered by the City of Portland Bureau of Environmental Services.

- A summary of the Leasehold's water management systems is attached.
 - h. groundwater wells, including drilling logs;
- KMBT has not installed any groundwater wells at the site. In 1997, HBM hired Kennedy Jenks to assess the groundwater around the storage building with respect to diesel contamination. The assessment included the installation of six soil borings and two piezometers, however, boring logs were not included in the report documenting the investigation. The results are presented in the attachment to Question 15. To the best of KMBT's knowledge, the Port has not installed any groundwater wells at the site.
 - i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;
- See response to Question 13(e) for a description of KMBT's wastewater treatment system. Additional details regarding maintenance and disposal are provided below:
 - A sulfuric acid system is used to adjust the pH to comply with permitted discharge requirements. The sulfuric acid system, pH monitoring system, and dissolved solids monitoring equipment are routinely calibrated and otherwise maintained by Measuretech, an outside contractor, on a bi-weekly basis. Measuretech also changes out the particulate screens on the O/W separator on an as-needed basis.
 - The oil/water separator filter media is washed or changed as needed. Sump pumps within the system are checked often to determine that the impellers are not clogged or that a breaker is not tripped. The pumps are rebuilt or replaced as necessary. Sections of hose used to route water are replaced as necessary. The retention basin was last drawn down for cleaning by West Coast Cleaning in 1998. Wood chips were added to the residuals inside the retention pond to control moisture and the waste was removed and transported off-site for disposal.
 - A septic tank and two cesspools located north of Berth 411 and the Pier 4 Main Dock Service Building (currently within the Leasehold) were identified on a CPD drawing from 1959. The drawings do not indicate the construction date of the septic tank or if the tank was removed, and the period of use is unknown.

- Additional drawings are attached.
- j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;
- A 10,000-gallon UST (identified as UST T4-24) was formerly located north of the northeast corner of the pit/rail dump building and was decommissioned and replaced by a 5,000-gallon double-walled fiberglass diesel UST (identified as UST T4-43). The tank is registered with DEQ (UST File Number 9786). According to the Port's 104(e) response for Terminal 4, Slips 1 and 3, the 10,000-gallon UST was likely decommissioned by removal; however, the removal date is not known and documentation of its removal has not yet been identified. These tanks were primarily used to fuel locomotives.
- Although the details on the UST removal are not available, according to the Baseline Audit (attached to Question 8), T4-24 was evaluated during the Remedial Investigation for Slip 1. Two soil borings (SB-51 and SB-52) were installed adjacent to the former the UST. TPH was not detected above MRLs in the 11 and 12 foot samples from SB-51 and SB-52, respectively. VOCs were not detected in soil above the MRL, with the exception of acetone, which was low and below the screening criteria. TPH, PCBs, and VOCs were not detected in grab groundwater above the MRLs with the exception of toluene detected in SB-51 at a low concentration below the preliminary screening levels. Up to seven PAHs were detected in grab groundwater at low concentrations that slightly exceeded the preliminary screening levels. The concentration of several metals in grab groundwater (total and dissolved) exceeded the aquatic SLVs. None of these compounds exceeded the preliminary screening levels for groundwater from well MW-16.
- Additionally, the Port decommissioned a small UST during the summer of 2010. The presence of the tank had been unknown to KMBT.
- Refer to KKMB00000515, KMB00000517, and KMB00000520 for drawings of underground structures.
- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;
- In 1987, HBM constructed the current bulk outloading facility, including the construction of the City drainage system and outfall. In 1988, HBM received the Port's approval to improve the Dravo with air pollution controls and a washwater pretreatment system. In 1995, the soda ash storage building was constructed. In 2006, portions of stormwater system were modified as part of the Pier 2 rail yard construction, during which many of the former tracks were removed and the stormwater drainage system was modified. At that time, the stormwater drainage system for the Leasehold was separated from the Property's drainage system.

- Refer to Question 13(e) for additional information regarding the Dravo bulk unloader.
 - 1. all maps and drawings of the Property in your possession; and
 - Responsive maps and drawings in KMBT's possession are attached.
 - m. all aerial photographs of the Property in your possession.
 - Responsive aerial photographs in KMBT's possession are attached. Refer to Tab 4 of the Port's 104e response for Terminal 4, Slips 1 and 3 for additional aerial photographs.
14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.
- Not applicable.
15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.
- KMBT understands this question to request reports and data collected in conjunction with site investigations. To the best of KMBT's knowledge, HBM performed the following geotechnical, sediment, groundwater and surface water investigations at the site:
 - *Remaining Settlement Estimate, Terminal 4 Soda Ash Facility*, prepared by Dames & Moore and dated March 5, 1996.
 - *Pencil Pitch Removal Oversight and Sediment Characterization Report*, prepared by Hart Crowser and dated September 25, 1997.
 - *Focused Phase 1 Groundwater Evaluation*, prepared by Kennedy/Jenks and dated April 2, 1997.
 - *Field Sampling Report, Port of Portland, Terminal 4, Slip 3, Berth 411*, prepared by Hartman Consulting Corporation and dated July 10, 1998.
 - Additionally KMBT performed the following investigation:
 - *Dust and Soda Ash Survey, Kinder Morgan Terminal T4 Port of Portland*, prepared by Marine & Environmental Testing, Inc. and dated September 4, 1999.
 - *Industrial Hygiene Survey for Total Particulates and Soda Ash*, prepared by Marine & Environmental Testing, Inc. and dated October 9, 2001.

- *Mixing Zone Modeling Study*, prepared by Secor and dated September 21, 2003.
 - Additionally, numerous investigations relating to the site have been performed by the Port and are referenced in the Port's 104(e) response for Terminal 4, Slips 1 and 3. Copies of responsive reports, information, or data in KMBT's possession are attached. Aerial photographs are included as an attachment to Question 13.
16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:
- a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
 - b. dated aerial photograph of the site showing each unit/area;
 - c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
 - d. the dates that the unit/area was in use;
 - e. the purpose and past usage (e.g., storage, spill containment, etc.);
 - f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
 - g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.
- KMBT understands this question to ask about RCRA solid waste units. KMBT does not have any such units.
17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.
- N/A.
18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:
- a. the location and nature of each sewer line, drain, ditch, or tributary;

- Maps pertaining to the location of stormwater conveyance lines and the sanitary sewer service are included as attachments to Question 13. Stormwater is discharged via an outfall to the Willamette River under NPDES Permits 1200-Z (issued to HBM) and 102446 (issued to KMBT).
- b. the date of construction of each sewer line, drain, ditch, or tributary;
- To the best of KMBT's knowledge, the majority of the sewer and drainage components of the current facility, including sewer and storm lines, were constructed during HBM's initial facility construction in 1987. Portions of the stormwater system were modified in 2006 as part of the Pier 2 rail yard construction, during which many of the former tracks were removed and the stormwater drainage system was modified. The stormwater drainage system for the Leasehold was separated from the rest of Terminal 4's drainage system at that time.
- c. whether each sewer line, or drain was ever connected to a main trunk line;
- Sanitary sewer lines from the facility connect to the City of Portland main trunk line located off of the Terminal 4 property. For the current location of and details on storm sewer system features, refer to Question 13 and its associated attachments.
- d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
- No. For additional information regarding KMBT's wastewater treatment system, refer to Questions 13(g) and (i).
- e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:
 - i. the areas serviced by the outfalls; and
- See response to Question 13(i). See also Figure 3 of the Storm Water Evaluation Work Plan (Ash Creek, 2007) for a description of the basin areas and the current location of the outfall. Additionally, a Mixing Zone Modeling Study (Secor, September 21, 2003) includes further description of the outfall. Referenced documents are included as an attachment to Question 15.
 - ii. the type of outfall (i.e., storm water or single facility operational).
- The outfall is for stormwater discharge.
- 19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution, Maintenance Plans, or Spill

Plans developed for different operations during the Respondent's operation of each Property.

- KMBT completed a Mixing Zone Modeling Study (Secor, September 21, 2003) to evaluate the degree of dilution that occurs when stormwater discharged through Outfall 001 mixes with ambient river water in Wheeler Bay. The study evaluated dilution to verify that pH impacts on in-stream wildlife are minimized. This study is included as an attachment to Question 15. Additionally, a number of stormwater treatability studies were performed by HBM, KMBT and the Port. Copies of these reports and associated documentation are attached.
- See attached copies of the following plans: Stormwater Pollution Control Plan, Waste and Storm Water Management Plan, Dust Control Operation and Maintenance Plan, Accidental Spill and Prevention Plan, Terminal Spill Procedures, Best Management Practices, and Hazard Communication Program.

Section 4.0 Respondent's Operational Activities

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.
- KMBT loads soda ash onto ships at Slip 3, Berths 410 and 411. The facility is permitted as an import/export facility for multiple bulk commodities. Products are transferred from rail to ship or rail to storage to ship. From March 9, 1988 to June 14, 1998, HBM handled various products including pencil pitch, soda ash, bulk clay, and compatible mineral bulk products. After the Port terminated the Dravo lease on June 14, 1998, KMBT ceased handling pencil pitch and constructed a new shiploading facility to load soda ash and other bulk materials. From 1998 to 2002, KMBT handled primarily soda ash. Since 2002, the facility has handled only soda ash.
 - Prior to KMBT and HBM's tenure, the City CPD owned and operated the Property from 1917 to 1971. The Dravo bulk unloader was constructed in 1962 and was operated until 1998. The Port assumed ownership in 1971. Activities that occurred on the Terminal property pertinent to this audit during City CPD ownership included pencil pitch, petroleum products, soda ash, talc, sulfur, zinc, lead and copper ores/concentrates, bentonite, clay, coal, coke, and iron briquettes. Refer to the Baseline Audit, attached to Question 8 (KMB00000432) for additional information regarding historical terminal operations.
 - Documentation regarding HBM's initial operations is attached.
21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

- a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
 - b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
 - c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
 - d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.
- Yes. Wastes generated during facility operations include:
 - Washwater. Volumes of washwater generated vary from month-to-month. The water contains dissolved soda ash. Washwater is hauled as waste when the facility wastewater treatment system has reached its capacity. This waste is transported by NRC Environmental Services, Inc. or West Coast Marine and disposed at Pacific Power Vac or Oil Re-Refining Co., both located in Portland, OR.
 - Baghouse dust and off-spec soda ash. The volume of off-spec soda ash and baghouse dust waste varies on a month-to-month basis. This waste is transported either by West Coast Marine Cleaning of Washougal, WA or by Waste Management of Portland, OR for disposal at Hillsboro Landfill in Hillsboro, OR.
 - Empty/dry paint cans, empty aerosol cans, empty paint thinner containers. The volume of paint-related waste varies on a month-to-month basis. This waste is transported by Waste Management of Portland, OR for disposal at the Hillsboro Landfill in Hillsboro, OR. (KMBT is a conditionally exempt small quantity generator (CESQG) under RCRA.)
 - Used fluorescent lamps, used batteries, used mercury thermostats. The amount of lamps, batteries and thermostats varies on a month-to-month basis. Lamps are transported by Christiansen Electric to Christiansen Electric Company for disposal. Batteries are transported by: 1) Safety and Supply Co. (Resp. batteries) for disposal at Safety and Supply Co; 2) Day Wireless Co. (radio batteries) for disposal at Day Wireless Co.; 3) Baxter Auto Parts (auto batteries) for disposal at Baxter Auto Parts.
 - Used antifreeze. The amount of used antifreeze varies on a month-to-month basis. This waste is transported by Thermo Fluids Inc. of Portland, OR for disposal at Thermo Fluids, Inc. of Portland, OR.

- Used lube/hydraulic/transmission oils and filters, and grease and rags from equipment maintenance. The volume of used oils, greases, filters and rags varies on a month-to-month basis. This waste is transported by either Thermo Fluids Inc. of Portland, OR for recycling/disposal at Thermo Fluids, Inc. of Portland, OR or Oil Re-Refining Co. Inc. (ORRCO) of Portland, OR for recycling/disposal at its processing facility in Portland, OR.
 - General trash including rags, plastic, paper, cardboard, food waste, empty containers, spray cans, wood, etc. from office/maintenance shop. The volume of general trash varies on a month-to-month basis. This waste is transported by Waste Management of Portland, OR for disposal at the Hillsboro Landfill in Hillsboro, OR.
22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.
- Historically, the following materials have been handled at Terminal 4: pencil pitch, petroleum products, soda ash, talc, sulfur, zinc, lead and copper ores/concentrates, bentonite clay, coal, coke, and iron briquettes. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding operations prior to HBM and KMBT's tenure at the site.
 - Pencil pitch was handled at Pier 4, Berth 411 from 1978 to 1998. Longshoremen removed the pencil pitch from the ships' holds by means of a clamshell-equipped Dravo bulk unloader and loaded it directly onto truck trailers or rail cars adjacent to the pier. From 1978 to 1987, the Port hired stevedoring companies to unload pencil pitch vessels (Jones and SSA) and provided certain dock maintenance and cleaning services. From 1988 to 1998, HBM leased a fixed facility and the Dravo bulk unloader from the Port to handle various materials, primarily soda ash and bentonite clay, with limited quantities of pencil pitch. After June 1998, the Dravo was decommissioned and no additional pencil pitch was handled at Terminal 4. KMBT took over operations July 1998. Refer to Questions 8 and 62 for a summary of releases associated with these activities. Refer to Question 52 (KMB00004978-KMB00004982) for additional information regarding relative shipping volumes.
 - Soda ash has been handled at Pier 4 since 1988. Product comes to the site in covered rails cars and their contents are emptied into a dumper building that diverts product directly to a ship or is directed to the storage building. All product is outbound. Following is a summary of documented soda ash releases:
 - On August 16, 2005, KMBT received a dust emission complaint from Toyota.

- On June 27, 2005, approximately 0.25 cubic yards of soda ash spilled over the edge of loader bucket, over the edge of the containment bulkhead, and into the Willamette River.
- On October 31, 2005, KMBT received a call from Toyota to report a cloud of soda ash.
- On October 12, 2004, KMBT received a dust emission complaint from Toyota.
- On July 1, 2004, KMBT received a dust emission complaint from Toyota.
- On March 10, 2004, KMBT logged an upset condition when 4 choke feeder vanes were stuck open while loading a ship cargo hold. The upset caused a temporary cloud of dust until the vanes were closed.
- On December 23, 2003, photographs of spilled soda ash were documented along the UPRR rails located across the road on the hill above the T-4 rail yard.
- On November 19, 2003, photographs of a dust release at the soda ash outloader and of spilled soda ash adjacent to rail cars were documented.
- On October 18, 2003, KMBT received a call from a DEQ representative concerning a phone call DEQ received from a person stating that there was a dust release.
- On October 14, 2003, KMBT received a call from a DEQ representative concerning a phone call DEQ received from a person complaining of dust emissions.
- On March 10, 2003, photographs of a dust cloud were documented.
- On October 21, 2002, KMBT received a complaint from Toyota of headaches and respiratory problems resulting from dust emissions.
- On October 18, 2002, KMBT received a dust emission complaint from Toyota.
- On July 3, 2001, KMBT received a dust emission complaint from Toyota.
- On June 24, 2001, KMBT received a dust emission complaint from Toyota.
- On June 23, 2001, KMBT received a dust emission complaint from Toyota.
- On September 27, 2000, KMBT logged an upset condition when maintenance personnel accidentally turned off the choke feeder during ship loading, resulting in 100% opacity of soda ash dust for about 3 minutes in duration.

- On March 23, 2000, KMBT received a dust emission complaint from Toyota, resulting in eye and throat irritation.
- On August 25, 1999, KMBT received a dust emissions complaint from Toyota regarding visible dust. KMBT made adjustments to its loading equipment.
- On April 10, 1999, KMBT reported an incident of soda ash dust while loading. The loading operation was shut down, and it was concluded that a vane was stuck open. Repairs were made and loading recommenced.
- On April 16, 1998, HBM logged an upset condition that resulted in increased soda ash dust emissions. Loading operations were stopped as soon as the upset condition began.
- On May 7, 1997, HBM logged an upset condition during which excessive soda ash dust emissions occurred as a result of damaged vertical spout assembly. Loading operations were stopped as soon as excessive emissions were observed.
- On May 5, 1997, HBM received a dust emission complaint from Toyota.
- On March 3, 1997, HBM logged an upset condition during which improper equipment operation resulted in excessive soda ash dust emissions. Loading operations were stopped as soon as excessive emissions were observed.
- On February 12, 1997, HBM logged an upset condition during which improper equipment operation resulted in excessive soda ash dust emissions. Loading operations were stopped as soon as excessive emissions were observed.
- On January 22, 1997, HBM logged an upset condition during which failure of an electronic proximity switch at the headchute occurred, resulting in excessive soda ash dust emissions. Loading operations were stopped as soon as excessive emissions were witnessed. The switch was repaired and loading was resumed.
- On November 16, 1996, HBM logged an upset condition during which failure of an electronic proximity switch at the headchute occurred, resulting in excessive soda ash dust emissions. Loading operations were stopped as soon as excessive emissions were witnessed. The switch was repaired and loading was resumed.
- On September 6, 1996, HBM logged an upset condition during which failure of an electronic proximity switch at the headchute occurred, resulting in dusting over the Pier 4 area. Loading operations were stopped as soon as excessive emissions were witnessed. The switch was repaired and loading was resumed.
- On September 24, 1991, HBM logged an upset condition during which failure of a proximity sensing switch failed, causing less than 1 minute duration of air emissions when approximately 300 lb. of soda ash was released. The system was immediately shut down, and the switch was replaced and adjusted.

- On December 30, 1988, March 21, 1989, and May 23, 1989, NONs were issued to the Port for soda ash spills at Berth 411.
 - Supporting documentation is attached.
23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.
- See response to Question 22.
 - Additionally, ship's crew may have conducted minor ship maintenance and painting when moored at the dock.
 - Best management practices, operator-specific responsibilities for HBM's former pencil pitch operations and associated documentation are attached.
24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.
- N/A.
25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 - present). Provide the brand name of all pesticides or herbicides used.
- Neither HBM nor KMBT used pesticides or herbicides on the Property. The grounds are maintained by the Port. Please refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding pesticides and herbicides used.
26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.
- Following is a description of handling and storage of operations wastes prior to off-site transport and disposal:
 - Washwater is temporarily collected in a 2,000-gallon basin;
 - Baghouse dust and soda ash is temporarily stored in roll-off dumpsters;
 - Empty/dry paint cans, empty aerosol cans, empty paint thinner containers are temporarily stored in solid waste dumpsters;
 - Used fluorescent lamps, used batteries, used mercury thermostats are temporarily stored in boxes or drums;

- Used antifreeze is temporarily stored in drums;
 - Used lube/hydraulic/transmission oils and filters are temporarily stored in drums;
 - Grease and rags are temporarily stored in drums;.
 - General trash including rags, plastic, paper, cardboard, food waste, empty containers, spray cans, wood, etc. are temporarily stored in waste bins.
 - Refer to Question 21 for a description of disposal facilities. A copy of KMBT's Environmental Compliance Procedures and Guidelines regarding Signatory Authorization for Waste Disposal/Recycling is included as an attachment.
27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:
- a. the persons with whom the Respondent made such arrangements;
 - b. every date on which Respondent made such arrangements;
 - c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;
 - d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;
 - e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
 - f. the owner of the materials involved in each such arrangement, if not Respondent;
 - g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
 - h. the addressees) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
 - i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;
 - j. who selected the location to which the materials were to be disposed or treated;
 - k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
 - l. any records of such arrangement(s) and each shipment.

- To the best of KMBT's current knowledge, no.
28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).
- Warehouse #4, located in the northwest portion of the site, has only recently become part of the KMBT leasehold. It is used to store dry goods, equipment, and spare baghouse filters. The storage building, located in the northwest portion of the site, is used to store soda ash. A conveyer belt system is used to move soda ash to and from ships and rail cars. A railcar unloading station is located in the central portion of the site. The building located adjacent to Berth 411 houses an office, maintenance shop, the washwater treatment system, and a warehouse. The ship loader is a crane-like structure that delivers the soda ash from the conveyor system to the hold of the ship. It is located on the dock at the edge of the slip.
29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.
- Soda ash is transported to and from the Property via rail and ship. The facility loads or unloads product from ships and rail cars. Attached is a schematic illustrating the operations of the facility.
30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:
- a. the date such operations commenced and concluded; and
 - b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.
- Refer to Question 20. KMBT currently operates a shiploading facility to load soda ash for export. The soda ash is unloaded from rail cars in the rail car dump building, and conveyors carry it to the storage building or to a berthed ship to be loaded. The primary mode of distribution of bulk products inbound to the terminal is by rail and the primary mode of distribution of bulk products outbound from the terminal is by marine vessel.
31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.
- See response to Question 30. Volumes of soda ash handled have generally remained unchanged.
32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

- None of the materials handled by KMBT are manufactured, recycled, recovered, treated, or otherwise processed at the facility. With the exception of washwater, all materials handled are loaded, unloaded or stored at the facility. Washwater is treated to adjust the pH prior to discharge to the POTW and is discussed in the responses to Questions 26, 42 and 58.
33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.
- Attached are the MSDSs currently on file at the facility.
34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:
- a. the types of materials used to clean/maintain this equipment/machinery;
 - b. the monthly or annual quantity of each such material used;
 - c. the types of materials spilled in Respondent's operations;
 - d. the materials used to clean up those spills;
 - e. the methods used to clean up those spills; and
 - f. where the materials used to clean up those spills were disposed of.
- Soda ash on the ground or on equipment is cleaned with dry methods (shovel, brooms, vacuum, front-end loader) and then cleaned with washwater or a steam cleaner.
 - Washwater from the steam cleaning pad and steam cleaning equipment is routed to the 43,000-gallon retention basin by gravitational flow and then through the treatment system. The volume of washwater is documented in the wastewater self-monitoring reports included as an attachment to Question 58. Precipitation to the dock and wash pads is also accounted for in this volume. Catch basins in the facility have been valved to allow diversion of water to the treatment system in the event soda ash comes into contact with the water during operations performed in the area at that time.
 - Motor vehicles undergo minor maintenance (e.g., oil changes) in the maintenance shop. Shop towels and sorbent pads are used for cleaning. The shop previously maintained a parts washer that has since been removed. Any oily sorbents are drummed for disposal or recycling.
 - KMBT maintains the shiploader spout by dry-cleaning it over the dock. Although KMBT's stormwater permit allows for water-washing over the Willamette River (DEQ considers TDS loading to the river from this activity to be *de minimis*), KMBT generally does not water-wash the spout.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.
- An incident command system is utilized for managing the response to any releases, and the methodology utilized is determined based upon the nature of the release. Clean up methods are described in KMBT's Terminal Spill Procedures and are included in KMBT's Storm Water Pollution Control Plan, both of which are attached to Question 19.
36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:
- a. its physical state;
 - b. its nature and chemical composition;
 - c. its color;
 - d. its odor;
 - e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
 - f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.
- See response to Question 21.
37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste; including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.
- Attached is a schematic illustrating wastes generated during operations at the facility.
38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

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39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.
- Refer to Questions 21 (waste disposal procedures/destinations) and 26 (on-site waste handling and storage). Additionally, disposal permits and waste manifests are attached.
40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:
- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
 - b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
 - c. if Respondent transported any of its wastes away from its operations, please so indicate;
 - d. for each type of waste specify which Waste Carrier picked it up;
 - e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
 - f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
 - g. state the basis for and provide any documents supporting the answer to the previous question.
- See responses and attachments to Questions 21, 26 and 39.
41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
- a. the nature and chemical composition of each type of waste;
 - b. the dates on which those wastes were disposed;

- c. the approximate quantity of those wastes disposed by month and year;
 - d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre-treatment plant, Publicly Owned Treatment Works (POTW), etc.); and
 - e. whether and what pretreatment was provided.
- On June 24, 2011 KMBT reported a release of less than a gallon of air compressor lubricant to a drain pipe near the southwest corner of the rail dump building. Terminal staff notified NRC and OERS of the release. NRC reported to additional agencies as listed in Incident Report # 980699. A sample of the released material was collected and confirmed to be air compressor lubricant. Supporting documents regarding this release are attached.
 - The maintenance building has a drain that KMBT believes was plugged prior to KMBT and HBM tenure at the site. The original purpose and use of the drain is unknown.
42. Identify any sewage authority or treatment works to which Respondent's waste was sent.
- Stormwater and washdown water (from washing machinery and equipment) is diverted to a 43,000-gallon concrete retention basin in the southeast corner of the Leasehold. Water collected in the pond is then pumped to an oil/water separator at the KMBT maintenance building and neutralized with sulfuric acid prior to being discharged to the sanitary sewer system under a pretreatment permit issued and administered by the City of Portland Bureau of Environmental Services.
43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.
- The 43,000-gallon stormwater retention basin was last pumped out by West Coast Cleaning in 1998. Wood chips were added to the silt and the solid material was removed and transported off-site for disposal. Only minor amounts of sediment are reported to accumulate in the settling pond. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for additional information regarding pre-HBM septic tanks and operations.
44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.
- To the best of KMBT's knowledge, KMBT and HBM have not engaged in ship building, retrofitting, maintenance, or repair. The crews of ships may have engaged in minor painting and maintenance of their vessels while tied up at the dock. There is no known documentation of ship repairs being conducted at the dock in HBM or KMBT files.

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.
- No significant ship repairs have taken place at the dock, and there are no records of wastes generated or disposed of.
46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.
- N/A.
47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.
- The Baseline Audit (attached to Question 8) indicates that a transformer containing PCBs was used at the site for the Dravo (bulk unloader) Crane 357: M-287005 (Serial #C862333) 225 KVA, and in the transformer inside the pier transformer house (Serial #C862942) 500 KVA.
48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.
- According to the Baseline Audit (attached to Question 8), the transformer associated with the Dravo crane has been removed and the transformer associated with the Pier transformer house was removed by Reidel Environmental Services in August 1988 as part of HBM's upgrades in 1987/1988.
49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.
- The locations of the former PCB-containing transformers are shown on the site plan provided in the Baseline Audit as Appendix A, included as an attachment to Question 8.

Section 5.0 Regulatory Information

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

- KMBT interacts with the following federal, state, and local authorities for the indicated health and safety issues and/or environmental concerns:
 - Oregon Department of Environmental Quality (DEQ) for environmental issues
 - United States and Oregon Occupational Safety and Health Administration (OSHA) for health and safety issues
 - City of Portland for stormwater issues
 - City of Portland Fire Department for fire issues
 - United States Coast Guard for marine issues
 - United States Environmental Protection Agency (USEPA) for Superfund issues
- 51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.
 - Following is a summary of databases searched to identify violations, citations, deficiencies, and/or accidents concerning the facility, and the results of each search:
 - Federal and State OSHA Database query found no results.
 - USEPA Enforcement and Compliance History Online (ECHO) Database - Enforcement and Compliance (EAC) report shows no record of EAC incidents.
 - Oregon DEQ Notice of Noncompliance (NON) Database query identified 4 records of non-compliance:
 - HBM was issued a NON on September 19, 1996 for a September 10, 1996 release of fugitive emissions.
 - KMBT was issued a NON on June 7, 2004 for an April 30, 2004 average exceedance of oil and grease during their April 2004 Discharge Monitoring Report.
 - KMBT was issued a NON on May 25, 2006 for an April 1, 2006 alleged violation of a pH requirement by less than 0.5 pH.
 - KMBT was issued a NON on December 13, 2006 for an October 1, 2006 alleged failure to comply with applicable Federal and State requirements, effluent standards, and limitations of pH requirement by less than 0.5 pH.

- Oregon DEQ Compliance and Enforcement Database query found no results.
- Oregon DEQ Facility Profiler database summarizes information for sites regulated by DEQ. Search function is primarily geographic. DEQ has multiple companies (Port of Portland, Toyota, International Raw Materials, LTD, Union Pacific Railroad, etc.) associated with the 11040 Lombard Street address. The query identified the following information:
 - Air Contaminant Discharge Permit issued to KMBT for marine cargo handling activities starting on November 1, 1978. The permit allows Particulate Matter (less than or equal to 10 micrometers) (PM10) 32 tons/yr.
 - Water Quality – Wastewater Discharge permit issued to KMBT for activities starting on February 5, 2002. The permit includes all facilities not elsewhere classified that dispose of process wastewater (includes remediated groundwater) - Tier 2 sources.
 - Facility Summary Report associated with 11400 Lombard Street references International Raw Materials, Ltd. as the facility site name, and includes numerous aliases, including Hall-Buck Marine, Inc; Kinder Morgan Bulk Terminal 4; Kinder Morgan Bulk Terminals, Inc.; Port of Portland; Port of Portland, Terminal 4; Toyota Logistic Services, Inc.; Pm Ag Products Incorporated; Port of Portland Marine Terminal 4; Portland Bulk Terminal 4; Terminal 4- Pier 4; and Union Pacific RR at Terminal 4. The report identified the following records: 6 LUST entries, one Hazardous Waste entry, 4 water quality permit entries, and one air quality permit entry. UST Facility ID: 9786 is associated with a 5K gallon diesel tank. There are no LUST incidents associated with this Facility ID; however, there are two LUST incidents listed in the profiler that do not have Facility IDs listed.
- Database search results are attached.
- The following violations and notices of non-compliance (NON) were identified during the completion of this questionnaire response, and associated documentation is attached.
 - Oregon DEQ NON regarding Air Contaminant Discharge Permit 26-2909, dated March 21, 1989, for observation of dusting from the new outloader facility.
 - Oregon DEQ NON regarding Air Contaminant Discharge Permit 26-2909, dated May 23, 1989, for observation of emissions during ship loading.
 - Oregon DEQ issued a Notice of Civil Penalty on September 5, 1990, for allegedly exceeding permitted opacity limitations as follows: NONs issued

March 21, 1989 and May 23, 1989, and Notice of Intent to Assess Civil Penalty issued July 25, 1989.

- Oregon DEQ NON regarding Air Contaminant Discharge Permit 26-2909, dated September 19, 1996, for observation of fugitive emissions during ship loading.
- Oregon DEQ issued a letter on November 30, 1992, regarding its receipt of numerous fugitive emissions complaints.
- Oregon DEQ issued a Warning Notice of Intent to Assess Civil Penalty on July 28, 1995, for alleged violation of certain requirements of its industrial wastewater discharge permit.
- Oregon DEQ NON regarding NPDES Permit 1200T, dated January 2, 1996, for exceedance of pH.
- Oregon DEQ Notice of Noncompliance regarding Air Contaminant Discharge Permit 26-2909, dated September 19, 1996, for observation of fugitive emissions.
- City of Portland issued a Notice of Exceedance on December 5, 2001 regarding Water Quality permit alleged exceedance for pH.
- Oregon Center for Environmental Health letter regarding violation of NPDES Permit 102446 and Air Contaminant Discharge Permit 26-2909. A copy of the letter was not found in KMBT's files; however, a copy of KMBT's response letter to DEQ, dated February 17, 2004, was found and stated that the allegations are unfounded and that the allegations do not constitute permit violations.
- Oregon DEQ NON issued June 7, 2004, regarding Water Quality permit alleged exceedance for oil and grease in April 2004.
- City of Portland Environmental Services Letter of Violation and Notice of Intent to Assess Civil Penalty LOV-2006-044, dated September 19, 2006, for accident of permitted Total Dissolved Solids.
- Oregon DEQ Letter, dated January 17, 2007, indicating that repeat permit violations will be referred to the Department's Office of Compliance and Enforcement for formal action.
- Internal memoranda, dated February 2009, regarding a facility wastewater sample slightly above the benchmark limit for zinc.
- U.S. Department of Labor Occupational Safety and Health Administration Citations and Notifications of Penalty for alleged infractions.

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.
- The following permits were issued to KMBT for the facility:
 - NPDES Permits 1200-Z (Issued to HBM) and 102446 (Issued to KMBT)
 - City of Portland Bureau of Environmental Services Wastewater Discharge Permit 400.027.
 - Oregon DEQ Air Contaminant Discharge Permit No. 26-2909
 - Copies of available permits and applications are attached.
53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.
- No.
54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.
- No.
55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.
- N/A.
56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.
- N/A.
57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.
- Sulfuric acid is used in pretreatment of stormwater and washdown water (from washing machinery and equipment). Oregon State Fire Marshal Hazardous Substance Information Surveys are prepared and submitted on an annual basis. Copies of the surveys for the period 2005 through 2010 are attached.

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465;315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.
- KMBT understands this question to request reports regularly required pursuant to permits issued under the above-listed federal and state environmental statutes. The following permits were issued to KMBT:
 - NPDES Permits 1200-Z (issued to HBM) and 102446 (issued to KMBT) were issued under the Clean Water Act. Copies of available quarterly Discharge Monitoring Reports are attached.
 - Oregon DEQ Air Contaminant Discharge Permit No. 26-2909 was issued by the Oregon DEQ under the Clean Air Act. Copies of available annual reports are attached. Additionally, DEQ inspection reports are attached.
 - City of Portland Bureau of Environmental Services Wastewater Discharge Permit 400.027 was issued under City of Portland Municipal Code 17.34 and 17.36 and 40 CFR Part 403. Copies of available compliance reports for this permit are attached.
 - Responsive documents evidencing oral and written communications with the respective regulatory agencies are also attached.
59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.
- N/A.
60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

- N/A.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

- N/A.

Section 6.0 Releases and Remediation

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

- a. when such releases occurred;
 - b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
 - c. the amount of each hazardous substances, pollutants, or contaminants so released;
 - d. where such releases occurred;
 - e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
 - f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
 - g. all persons with information relating to these releases; and
 - h. list all local, state, or federal departments or agencies notified of the release, if applicable.
- See response to Question 8 for a summary of releases that occurred prior to HBM's and KMBT's tenure at the site. See response to Question 22 for a summary of soda ash releases. Additionally, following is a summary of releases identified in the Baseline Audit (attached to Question 8) that reportedly occurred during HBM's and KMBT's tenure at the site:

- Pencil pitch was reportedly released on the following dates: March 15, 1988, January 5, 1990, May 28, 1993, July 30, 1996, and September 25, 1996. No additional information is known about the location or form of release (i.e., fugitive dust, released onto the pier, etc.). No supporting documentation is referenced.
- On April 25, 1989, W.R. Grace Company released approximately 35 gallons of PCB-containing fluid at the Pier Berth 411 electrical substation. The spill was contained within the transformer room. Reidel Environmental Services conducted an underlying utility tunnel cleanup. Chemical Waste Management. (CWM) transported and disposed of the PCB-contaminated soils at their facility in Arlington, Oregon.
- On or about May 23, 1989, emissions in excess of 20% opacity were reported.
- On or about February 21 and 25 [or March 1 and 4], 1992, during unloading of the vessel the MIV AGNESS, pencil pitch dust was released into the air. HBM responded by washing down the affected areas on the pier, and washdown water was subsequently collected and discharged to the sanitary sewer under HBM's Permit 400-027.
- On March 7, 1992, a "leak" [substance unknown] at Berth 411 occurred from a Brix Maritime barge fueling the vessel GORGOVA. The U.S. Coast Guard and a Brix Maritime investigator came to the site to evaluate the release.
- On April 7, 1992 during transfer activities at Berth 411, approximately 300 gallons of "black oil" was released. The spill was reportedly contained on the vessel KEN SPANKER.
- On July 27, 1992, approximately 0.12 gallons of diesel released to the river due to overfilling during fueling operations on the carrier ANSAC PROSPERITY at Berth 411. Sorbents were used to collect the product.
- In December 1992, the U.S. Coast Guard observed a minor oil release to the Willamette River at Slip 3. The Port contracted Century West to initiate the abatement of the migrating oil seep.
- On December 25, 1992, approximately 10 gallons of mixture of weathered light fuel and lube oil seeped into the Willamette River from soil at the east end of Berth 411. Floating booms were placed to contain additional discharge.
- On February 27, 1993, diesel was spilled while transferring material to the MN MAY STAR at Berth 411. The quantity of the spill was not reported; however, the spill was reportedly contained on vessel.

- On April 16, 1993, oil was observed on the water in Slip 3. The oil was being discharged with the treated water from the oil/water separator. Foss Environmental Services responded to clean up the oil in the boom area.
- On August 27, 1993, an oil spill at Berth 410 at the stern of the vessel ANGEL HONESTY was observed. The U.S. Coast Guard was notified. The oil reportedly dissipated quickly.
- On March 27, 1996, a release of oil occurred during fuel transfer to the M/V ANSAC ASIA when a tank was overfilled at Berth 411. Approximately 1 gallon of 2-D fuel oil was released into Willamette River. Riedel used sorbents to recover the material.
- On May 13, 1996, a thin sheen was observed by the Port and HBM employees in the Willamette River near Berth 411. It appeared that the source was from one of two operations: a broken down crane the Port had on the dock may have leaked oil during servicing, or the source was HBM. Both the DEQ and the U.S. Coast Guard were notified.
- On November 16, 1996, HBM logged an upset condition involving the Dravo crane clamshell bucket that resulted in coal tar pitch dust emissions. Adjustments were made to permanently reduce crane control speed during unloading operations.
- On March 10, 1997, rain washed oil off of the deck of the vessel MIV SEMENA. The quantity was not reported. Cleanup actions were undertaken and scuppers on vessel were plugged. The specific terminal location was not reported.
- On May 20, 1997, approximately a teaspoon of 2-D fuel oil released during fuel transfer operations caused by valve left open vessel reported as MN SEAS WAN at Berth 411. Absorbents were used for cleanup of the spill.
- On May 28, 1997, an approximately 25-foot by 25-foot sheen was observed around and emanating from vessel M/V MARITIME FAITH at Berth 411. The cause of the sheen was unknown and the quantity was not reported.
- On June 18, 1997, approximately 200-1000 pounds of pencil pitch entered the water in Slip 3 after an operator error on the Dravo. HBM conducted a full investigation and removal action. (See response to Question 67 and associated attachments.)
- On June 24, 2011 KMBT reported a release of less than a gallon of air compressor lubricant to a drain pipe near the southwest corner of the rail dump building. Terminal staff notified NRC and OERS of the release. NRC reported to additional agencies as listed in Incident Report # 980699. A sample of the

released material was collected and confirmed to be air compressor lubricant. Supporting documents are included as an attachment to Question 41.

- Copies of documentation regarding these releases are attached. Additionally, a summary of soda ash releases documented by HBM and KMBT are included in the response to Question 22.
63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:
- a. where the disposal system or floor drains were located;
 - b. when the disposal system or floor drains were installed;
 - c. whether the disposal system or floor drains were connected to pipes;
 - d. where such pipes were located and emptied;
 - e. when such pipes were installed;
 - f. how and when such pipes were replaced, or repaired; and
 - g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.
- See response to Question 41 and associated attachments.
64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. amount of soil excavated;
 - b. location of excavation presented on a map or aerial photograph;
 - c. manner and place of disposal and/or storage of excavated soil;
 - d. dates of soil excavation;
 - e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
 - f. reason for soil excavation;

- g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
 - h. all analyses or tests and results of analyses of the soil that was removed from the Property;
 - i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
 - j. all persons, including contractors, with information about (a) through (i) of this request.
- See response to Question 62 for a summary of the soil removal action conducted in conjunction with an April 25, 1989 PCB spill located at the Berth 411 electrical substation. KMBT has no additional information regarding this soil removal action.
 - On June 29, 2001, the Port completed soil removal associated with the modification of Track 401. Previous investigation by the Port, Terminal 4 - Track 401 Soil Sampling Project (URS, June 2001), identified soils requiring removal based on chemical analyses. A copy of this report is included as an attachment to Question 15. Following the investigation, the Port issued a memorandum regarding Workers Safety and Management of Soil for the pending track and soil removal. Approximately 87.5 tons of soil, identified as RCRA Subtitle C material, was removed from the area. The disposal destination of the material was not reported. A copy of the memorandum documenting this soil removal project is included as an attachment.
65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.
- HBM conducted a Focused Phase I Groundwater Evaluation in 1997. The purpose of the evaluation was to determine whether groundwater near the soda ash building is impacted with diesel fuel. At the time, dewatering was proposed at the lower levels of the soda ash building to prevent groundwater seeps into the storage building. Groundwater contact with stored bulk product would result in contamination of the product.
 - To the best of KMBT's knowledge, the Port has not tested groundwater on the Property.
66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. reason for groundwater action;

- b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
 - c. all analyses or tests and results of analyses of the groundwater;
 - d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and
 - e. all persons, including contractors, with information about (a) through (c) of this request.
- KMBT has not performed a groundwater response action within the Leasehold. To the best of KMBT's knowledge, the Port has not performed a groundwater response action on the Property.
 - Dewatering is performed at the storage building on an as-needed basis. Groundwater that seeps into the lower elevations of the storage building is pumped out to prevent its contact with stored bulk product in order to avoid contamination of the product. The water is routed to the pretreatment system. The treated water discharged to the sanitary sewer system under a pretreatment permit issued and administered by the City of Portland Bureau of Environmental Services. A copy of the compliance monitoring reports required by the permit has been included as an attachment to Question 58.
67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:
- a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
 - b. the dates of each such occurrence;
 - c. the amount and location of such release;
 - d. were sheens on the river created by the release;
 - e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.
- A summary of documented releases, including releases into the Willamette River, is included in the responses to Questions 8, 22 and 62.

- On December 17 and 18, 1994, the Port performed dredging activities in Slip 3 pursuant to a Consent Order No. CV93-267 RE (D. OR) Terminal 4 regarding Pencil Pitch. Approximately 35,000 cubic yards of material were removed by clamshell bucket from Slip 3. The dredged material was placed by bottom release barges into a depression at Ross Island, and upon completion of the project the material was capped with a minimum of one foot of clean material. These activities, as well as water quality and sediment sampling, were documented in a report entitled "Water Quality Monitoring During Dredging and Disposal of Sediments from Terminal 4 Slip 3 in Portland Harbor Final Report," prepared by Hartman Associates, Inc. and dated April 28, 1995. A copy of this report is included as an attachment to Question 15.
 - HBM dredged Slip 3 in response to a June 18, 1997, pencil pitch release into the Willamette River at Berth 411. On the day of the release, the U.S. Coast Guard instructed Foss Environmental Spill Response Team to remove the dusting of coal tar pitch that was visible on the water surface by wheel washing the material into an area under the wharf. Water spray was then used to sink the dust and prevent disbursement into other areas. On July 7 and 8, 1997, under HBM supervision, Foss Environmental hydraulically dredged the area most likely containing the spilled pencil pitch. Approximately 16 gallons (2.1 cubic feet) of pencil pitch were recovered. The pencil pitch and sediment material were disposed at the Hillsboro Landfill in Hillsboro, Oregon. Additionally, between July 20 and July 31, 1998, HBM conducted additional pencil pitch-related dredging at Slip 3. HBM excavated a volume of 963 cubic yards of material containing an estimated 10.92 cubic yards (18.7 tons) of pencil pitch. The estimated quantity of pencil pitch was significantly greater than what was released in the July 18, 1997 spill. This removal effort was documented in a report entitled "Pencil Pitch Removal Oversight and Sediment Characterization Report, Terminal 4, Slip 3, Berth 411," prepared by Hart Crowser and dated September 25, 1997. The report concludes that HBM fully remediated the June 18 release. A copy of this report is included as an attachment to Question 15.
 - From August through October 2008, the Port performed a Non-Time Critical Removal Action (NTCRA) in accordance with an October 2003 EPA Administrative Order on Consent. The removal action included both dredging and capping. A total of 20,070 tons of sediment were dredged and hauled to the Wasco County Landfill. Approximately 400 tons of additional material was excavated from the head of Slip 3 and later hauled to a landfill. A copy of this report, "Final Removal Action Completion Report, Terminal 4 Phase 1 Removal Action," prepared by Anchor QEA, LLC and dated June 2009, is included as an attachment to Question 15.
68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.
- See PCB-related responses to Questions 8 and 62.

69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.
- According to the Baseline Audit (attached to Question 8), during the Remedial Investigation for Slip 1, two soil borings (SB-51 and SB-52) were installed adjacent to the former the UST located in the vicinity of the former PCB-containing transformers. PCBs were not detected in grab groundwater above the method reporting limits.

Section 7.0 Property Investigations

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.
- Inspections, evaluations, correspondence, and other documentation are maintained for the 5,000-gallon diesel underground storage tank for the purpose of its permitted operation and insurance. Copies of responsive documents are attached.
71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.
- HBM and KMBT performed the following sediment, groundwater, and surface water investigations at the site:
 - *Remaining Settlement Estimate, Terminal 4 Soda Ash Storage Facility*, prepared by Dames & Moore and dated March 5, 1996. The purpose of this investigation was to evaluate additional ground settlement that may occur at the Terminal 4 Soda Ash storage facility. Surveying was performed in February 1996 for this evaluation. It was concluded that most of the remaining ground settlement will occur when the storage loads exceed the equivalent past storage load, and that future settlement of the facility should be expected, and structural deformation will accompany the settlement similar to the existing conditions. This report references a previous investigation which was summarized in a December 15, 1993 report; however, the 1993 report was not found in KMBT files.
 - *Pencil Pitch Removal Oversight and Sediment Characterization Report*, prepared by Hart Crowser and dated September 25, 1997. The purpose of this investigation was to document the pencil pitch removal effort conducted on July

7 through 9, 1997 in response to a release of pencil pitch to the Willamette River on June 18, 1997. Results of the investigation indicated that only a few post-remediation samples taken from the head of the slip exceeded the Port's Consent Order-stipulated cleanup levels (0.5% pencil pitch by weight).

- *Focused Phase 1 Groundwater Evaluation*, prepared by Kennedy/Jenks and dated April 2, 1997. The purpose of the evaluation was to determine whether groundwater near the soda ash building is impacted with diesel fuel. At the time, dewatering was proposed at the lower levels of the soda ash building to prevent groundwater seeps into the storage building. Groundwater contact with stored bulk product would result in contamination of the product. Results of the investigation indicated that diesel-range hydrocarbons were not detected in the groundwater samples from around the soda ash building. It was previously determined that diesel was detected in the groundwater beneath the southern portion of the site.
- *Field Sampling Report, Port of Portland, Terminal 4, Slip 3, Berth 411*, prepared by Hartman Consulting Corporation and dated July 10, 1998. The purpose of this investigation was to delineate the extent of pencil pitch contamination resulting from the June 18, 1997 spill that exceeded the 0.5% dry weight regulatory limit in surface sediments of this slip. The field program was conducted on June 15 and 16, 1998. Results indicated that 6 of the 23 samples exceeded the regulatory limit.
- *Dust and Soda Ash Survey, Kinder Morgan Terminal T4 Port of Portland*, prepared by Marine & Environmental Testing, Inc and dated September 4, 1999. The purpose of this survey was to evaluate off-site dust levels caused by the soda ash loading operation. Specifically, the survey evaluated downwind soda ash and dust levels at the Toyota storage lot directly east/southeast of the soda ash terminal. The survey was conducted on September 4, 1999. Results of the survey showed that dust levels associated with the soda ash do not present a health risk to personnel working at the Toyota lot or immediately downwind at the adjacent berth.
- *Industrial Hygiene Survey for Total Particulates and Soda Ash*, prepared by Marine & Environmental Testing, Inc. and dated October 9, 2001. The purpose of this survey was to evaluate Kinder Morgan employees' exposure to dust and soda ash while working at Terminal 4. The survey was conducted between July 26 and August 1, 2001. Results of the survey revealed minimal air concentrations of soda ash related to ship-loading activities, not requiring the use of personal protective equipment including respiratory protection, and not likely to cause adverse health effects. The survey also evaluated exposure at the Toyota storage lot. It was concluded that Toyota employees are exposed intermittently rather than continually to extremely low, often non-detectable concentrations of soda ash at the Toyota property fence line, and that the

descriptions of adverse health effects reported by Toyota employees would not plausibly be caused by exposure to the extremely low airborne concentrations of soda ash detectable at the Toyota fence line during ship-loading operations at Terminal 4.

- *Mixing Zone Modeling Study*, prepared by Secor and dated September 21, 2003. The purpose of the study was to evaluate the degree of dilution that occurs when stormwater discharged through Outfall 001 mixes with ambient river water in Wheeler Bay. Additionally, the study was completed to comply with Schedule C of the facility's Stormwater NPDES Discharge Permit Number 100025. Results of the study indicated that the existing Regulatory Mixing Zone was sized appropriately to ensure sufficient dilution and recommended no change to the existing zone.
 - A copy of these reports and associated documentation are included as an attachment to Question 15. Additionally, numerous investigations were performed by the Port, and copies of these responsive reports are included as an attachment to Question 15. Please refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for a summary of the respective purpose for, the dates of initiation and completion, and the results of the Port's investigations.
72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.
- Refer to KMBT's response to Question 67.
73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:
- a. what the nature and scope of these investigations will be;
 - b. the contractors or other persons that will undertake these investigations;
 - c. the purpose of the investigations;
 - d. the dates when such investigations will take place and be completed; and
 - e. where on the Property such investigations will take place.

- KMBT has no plans to perform any investigations on the property. Refer to the Port's 104(e) response for Terminal 4, Slips 1 and 3 for a complete summary of the Port's planned investigations.

Section 8.0 Corporate Information

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:
- a. state the current legal ownership structure (e.g., corporation, sole proprietorship);
 - Kinder Morgan Bulk Terminals, Inc. is a Louisiana corporation.
 - b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
 - See attached documentation.
 - c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
 - No changes have been made to the business's legal ownership structure.
 - d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
 - On July 1, 1998, Hall-Buck Marine, Inc. was purchased and the name was changed to Kinder Morgan Bulk Terminals, Inc. KMBT is owned and operated by Kinder Morgan Operating L.P. "C."
 - e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.
 - N/A
75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:

- a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;
 - See KMBT's response to Question 74(d).
 - b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
 - See KMBT's response to Question 6(f).
 - c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.
 - KMBT is owned and operated by Kinder Morgan Operating L.P., "C" which is based in Houston, Texas at One Allen Center, 500 Dallas Street, Suite 1000, Houston, Texas, 77002, 713-369-9000.
76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.
- See attached documentation.
77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:
- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
 - See KMBT's response to Question 74(d). On July 1, 1998, Hall-Buck Marine, Inc. was acquired and the name was changed to Kinder Morgan Bulk Terminals, Inc.
 - b. the dates such relationship existed;
 - July 1, 1998
 - c. the percentage of ownership of Respondent that is held by such other entity(ies);
 - None
 - d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees,

beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;

- N/A

e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and

- None

f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

- N/A. Hall-Buck Marine, Inc. no longer exists.

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

- N/A. KMBT is not a partnership.

Section 9.0 Compliance With This Request

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

a. the name and current job title of all individuals consulted;

- Brent McMullin, Regional Environmental, Health and Safety Manager for KMBT.
- Bruce Craven, Terminal Manager for KMBT.

b. the location where all sources reviewed are currently reside; and

- Terminal 4 Offices
11040 N. Lombard Street, Terminal 4
P.O. Box 83838
Portland, OR 97283
- Kinder Morgan Bulk Terminals, Inc.
West Coast Region
1610 C. Street

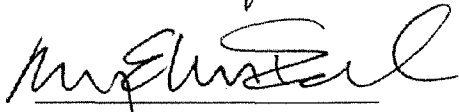
Vancouver, WA 98663

- c. the date consulted.
 - KMBT reviewed documents generated through June 30, 2011.
 - KMBT consulted with the above-listed individuals between February 15, 2011 and July 13, 2011.
80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.
81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. the document retention policy between 1937 and the present;
 - b. the approximate date of destruction;
 - c. a description of the type of information that would have been contained in the documents;
 - d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and
 - e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.
- To the best of KMBT's knowledge, no KMBT responsive documents have been destroyed. KMBT is unaware of HBM's document retention policies.
82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of KMBT and that the foregoing is, to the best of my current knowledge based on the information and documents assembled to date, complete, true, and correct.

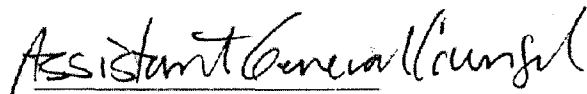
Executed on July 15, 2011.



Signature



Name



Title